UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF RHODE ISLAND

KEVIN MCBURNEY, Plaintiff

v.

C.A. No. 08-152-ML

ALICE SMITH, ALICE PESZKE, and CATHERINE RACINE, Defendant

ORDER OF DISMISSAL

On December 10th, 2008 this Court issued a Show Cause Order as to why Defendants Alice Peszke and Catherine Racine should not be dismissed from the matter for lack of prosecution. Having shown no good cause why those defendants should not be dismissed, Defendants Alice Peszke and Catherine Racine are hereby dismissed from this matter for lack of prosecution, namely failure to make service upon those defendants within 120 days of the filing of the complaint in the matter pursuant to Fed. R. Civ. P. 4(m).

By Order

ENTER:

Mary M. Alisi

Chief U.S. District Judge

Date: January 26, 2009